

JAIME RIVERA ALICEA

V.

UNITED STATES OF AMERICA

Respondent

CIVIL NO. 00-2544 (HL)

MINUTES OF PROCEEDINGS AND REPORT AND RECOMMENDATION

A further evidentiary hearing was scheduled today in this case. The parties, however, reached an agreement. The terms of the same are as follow. Petitioner's Sentence and Judgment would be amended to the effect that he serve 151 months for the narcotics offense, plus 60 months (consecutively) for the weapons offense, for a total of 211 months. This would be a reduction from the 420 months originally imposed upon him. In addition, by entering into this agreement, petitioner waives the right to file any further appeal and Section 2255 motion, or seek any other remedy to further reduce his sentence.

The undersigned explained to petitioner in court the terms of the agreement, in particular the waiver of future appellate/habeas rights. Petitioner, understood the Court's explanation, hence, his entering into the agreement is a knowing, intelligent and voluntary act on his behalf.

The parties shall file before Judge Laffitte the agreement within ten (10) days, along with a motion to dismiss with prejudice.

SO RECOMMENDED.

In San Juan, Puerto Rico this 22nd day of March, 2006

S/ Gustavo A. Gelpi

GUSTAVO A. GELPI
United States Magistrate-Judge